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OFFICE OF THE INDEPENDENT INSPECTOR GENERAL

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July 28, 2009

**Via Hand Delivery**

Honorable Jerry Butler  
Honorable John P. Daley  
Honorable Gregg Goslin  
Honorable Peter N. Silvestri

Board of Commissioners of Cook County  
118 North Clark Street, Room 567  
Chicago, Illinois 60602

Re: Proposed Amendment to the OIIG Ordinance

Dear Commissioners Butler, Daley, Goslin and Silvestri:

This letter is written to respectfully request your consideration as the senior leadership of the Board of Commissioners of a proposal by this office to amend section 2-284(1)(a) of the Office of the Independent Inspector General Ordinance (Cook County, Ill., Ordinances 07-O-52 (2007)).

Section 2-284(1)(a) states, in connection with an investigation of conduct of an elected official in the performance of their official duties, that:

Complaints and other documents, relating to the Independent Inspector General's investigations of elected officials, shall be verified by certification. The several matters stated in the complaints and other documents shall be stated positively or upon information and belief only, according to the fact.

Please note that pursuant to section 2-284(1)(b), any matter stated to be upon information and belief must be certified by the complainant to be verily true. This provision indicates that an investigation by the OIIG concerning an elected official must be based upon verified information. This restriction does not extend to an OIIG investigation into the operations of Cook County Government under elected County officials in that such an investigation may be initiated in response to an unverified complaint or on the Independent Inspector General's own initiative. (See Section 2-284(2)). Accordingly, to the extent that this office receives an unverified or anonymous report of misconduct by or involving an elected official, the OIIG is



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prohibited from conducting an investigation. The information can be referred by the OIIG to other law enforcement agencies, however.

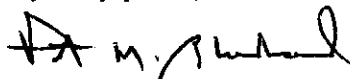
In an effort to enable this office to initiate an investigation in the appropriate circumstance that may involve an elected official, I offer the following proposed additional language for inclusion by amendment to section 2-284(1)(a).

Nothing in this section shall restrict the Independent Inspector General from exercising his/her independent judgment, based upon an articulable suspicion, to initiate an investigation on his/her own initiative whether such initiative is based upon unverified information, an anonymous report or otherwise.

I believe that this amendment will serve both the interests and concerns of the public-at-large and the elected official. First, the public will be served by enabling this office to conduct an investigation when a complainant feels constrained from speaking openly with the OIIG concerning an elected official's conduct. It has been the experience of this office that such reservations do exist. The elected official who may feel that the OIIG could be used improperly by an adversary to embarrass the elected official by asserting unfounded allegations also has a valid concern. By requiring the OIIG to demonstrate an "articulable suspicion" before commencing an investigation, the proposed amendment serves to guard against the initiation of an investigation that lacks cause.

If possible, I am hoping to schedule a meeting with you to further discuss this issue at your convenience. Thank you for your consideration.

Very truly yours,



Patrick M. Blanchard  
Independent Inspector General

cc: Joseph Fratto, Chief of Staff  
Laura Lechowicz Felicione, Legal Advisor to the President